

GOVERNMENT OF TELANGANA
A B S T R A C T

ENERGY DEPARTMENT – The Andhra Pradesh Electricity Regulatory Commission (Conditions of Service of Chairman and Members) Rules, 1999 made under A.P. Electricity Reform Act, 1998 (Act 30 of 1998) – Adaptation to the State of Telangana – Orders – Issued.

ENERGY (HR.A1) DEPARTMENT

G.O.MS.No. 4

Dated: 12/02/2016
Read the following:

- 1.The A.P. Reorganization Act, 2014 (Central Act, No.6 of 2014).
- 2.G.O.Ms.No.3, Energy (Budget) department, dated.26.07.2014.
- 3.G.O.Ms.No.13, Energy (Budget) department, dated.22.10.2014.

ORDER:

Whereas, by virtue of section 101 of the Andhra Pradesh Reorganization Act, 2014 (Central Act No.6 of 2014), the appropriate Government i.e. the State of Telangana is empowered by order, to make such adaptations and modifications of any law made before 02.06.2014, whether by way of repeal or amendment as may be necessary or expedient, for the purpose of facilitating the application of such law in the State of Telangana before expiration of two years from 02.06.2014, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority;

2. And whereas, it has become necessary to adapt and modify "the Andhra Pradesh Electricity Regulatory Commission (Conditions of Service of Chairman and Members) Rules, 1999" for the purpose of facilitating its application in relation in relation to the State of Telangana.
3. Accordingly, the following notification shall be published in an Extraordinary issue of Telangana State Gazette.

NOTIFICATION

In exercise of the powers conferred by section 101 of the Andhra Pradesh Reorganization Act, 2014 (Central Act No 6 of 2014), the Governor of Telangana hereby makes the following order, namely:-

1. (1) This order may be called the Andhra Pradesh Electricity Regulatory Commission (Conditions of Service of Chairman and Members) Rules, 1999 (Telangana Adaptation) Order, 2016.
(2) It shall come into force with immediate effect.

2. Definitions:

1. In these rules, unless the context otherwise requires
 - (a) "**Act**" means the A.P. Electricity Reforms Act, 1998 (Act No.30 of 1998)
 - (b) "**Chairman**" means the Chairman of the Telangana State Electricity Regulatory Commission
 - (c) "**Commission**" means the Telangana State Electricity Regulatory Commission
 - (d) "**Compensatory Allowance**" means all allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed; and

- (e) "**Member**" means Member of the Commission and includes the Chairman thereof.
- (f) "**Government**" means the Government of Telangana State.

2. Words and expressions used in these rules and not defined shall have the meaning respectively assigned to them in the Act.

3. Pay and Allowances of Chairman and Members.

1. The Chairman and Members shall receive a basic pay of Rs.90,000/- and Rs.80,000/- respectively per month or the last pay drawn by him whichever is more, if he is appointed from Government service after his retirement subject to deduction of gross amount of pension including any commuted portion thereof.

Note: While the pay of Chairman is to be equal to that of Chief Justice, the pay of Members shall be on par with the Judges of the High Court. As and when the pay and allowances to High Court Judges are revised corresponding revision shall be made for Chairman and Members of the Commission by the Government of Telangana State suitably amending the rules.

2. The Chairman and Members shall be entitled to receive such Dearness Allowance and other allowances as may be admissible to the Judges of the High Court.

Provided that the pay of the Chairman or Members shall be deemed to include the pension (if any) in determining the admissibility for Dearness Allowance.

3. A Member shall be entitled to receive the pay and allowances of the Chairman for the time during which he holds charge of the post of the Chairman in his absence on leave or otherwise in addition to his own duties.

4. Leaves to Chairman and Members:

1. A Member from the date of his appointment to the service of the Commission shall be entitled to leaves and payment of leave salary is as admissible to I.A.S. Officers from time to time.
2. A Member may be paid cash equivalent to leave salary and dearness allowance in respect of the period of earned leave at his credit at the time of retirement on superannuation subject to the following conditions namely:-
 - a. The admissibility and such payment shall be limited to a maximum period of one hundred and fifty days of earned leave.
 - b. The cash so admissible shall become payable on retirement and be paid in one lump-sum as a one time settlement.
 - c. The rate of leave salary and dearness allowance admissible under this rule shall be the same as admissible to a Member for earned leave on the date of retirement and no compensatory allowance and / or house rent allowance will be payable.
 - d. The authority competent to grant earned leave shall be competent to issue order granting cash equivalent to earned leave.
3. Chairman / Member may, in addition to any leave salary be entitled to draw under sub-rule (1) any pension to which he is entitled on the date of his leave.

4. The authority competent to sanction earned leave to a Member or Chairman shall be the Governor of Telangana State.

5. Pension:

1. In this rule unless the context otherwise requires: -
 - a. **"Service"** includes –
 - i. Time spent on duty as Member of the Commission;
 - ii. Time spent on duty by a Member in the performance of such other functions as he may, at the request of the Governor undertake to discharge;
 - iii. Joining time on transfer to the office of Member from a post or an office under the Union or a State; and
 - iv. One month or the number of days totally taken whichever is less of each period of leave on full allowances.
 - b. **"Service Pension"** in relation to a Member who before or at the date of appointment as Member was in the service of the Union or of a State, means the pension admissible to him under the rules of the service of which he was a member.
2. Subject to the provisions of these rules, pension shall be payable to a Member only if he has completed not less than two years of service. No pension shall be payable to a Member on his removal from service. If a Member, who has completed two years of service or more, takes voluntary retirement from his office and such voluntary retirement is accepted by the Governor, he shall be entitled to the pension as admissible under these rules.
3. The pension under these rules shall be payable to a Member for life.
4. The annual pension payable to a Member of the Commission on his relinquishing charges shall be as follows:
 - a. In the case of Chairman Rs.2,250/- per Half-year of service subject to a maximum of Rs.22,500/- per year if he has completed 5 years of service.
 - b. In case of Member other than Chairman Rs.1,715/- per Half-year of service subject to a maximum of Rs.17,150/- per year if has completed 5 years of service.
 - c. If a Member or Chairman has completed less than 5 years of service the pension is to be calculated at the rate of Rs.1,715/- or Rs.2,250/- respectively for each completed Half-year of service. For calculating a Half-year service, a period of 3 to 6 months is to be taken as one Half-year and below 3 months is to be omitted for calculation of pension.
 - d. In the case of a person who has rendered service as a Member and also Chairman and if the total period of service is more than one year he shall be entitled for payment of pension in the post last held by him before relinquishing charge.
 - e. As and when pension payable to a High Court Judge under the first Schedule of Part 1 rule 2 of the High Court Judges (Conditions of Service) Act 1954 is revised, corresponding Half-yearly service pension revision should be made for Chairman & Members of the Commission are eligible for the corresponding half-yearly service pension.

5. The pension payable under sub-rule (4) shall not be commuted.
6. The authority competent to grant pension to Chairman and Members shall be the Governor of Telangana State.
7. **Family Pension:** Where a Member of the Commission dies while in service after having rendered not less than one year of continuous service, the rate of family pension calculated at the rate of 50% of the pension admissible to him on the date of his death shall be payable to the person or persons entitled thereto for a period 7 years or for a period upto the date on which the Member/ Chairman would have attained the age of 65 years had he survived, whichever is earlier and thereafter at the rate of half of the family pension so admissible subject to a minimum of Rs.375/- per month. Family pension is payable to persons nominated by the Member / Chairman or to the legal heir if no nomination is made.
8. The pension and family pension shall be payable at the end of each month at the rate of 1/12th of the pension allowed per annum.

6. Gratuity

The Chairman and Members shall be entitled to the benefit of gratuity calculated on the basis of 10 days salary for each completed half-year of service if they have completed not less than two years of service in the Commission.

7. Travelling Allowance:

For journey on duty within or outside the State, the Chairman or a Member shall be entitled to draw such travelling allowance and daily allowance as may be admissible to Telangana High Court Judge in respect of similar journeys under the rules or orders applicable from time to time.

The Chairman or a Member shall be entitled to draw travelling allowance for the journey to join his post as it for a journey on transfer.

Provided that on retirement from service, the Chairman or a Member and his family shall be entitled to draw travelling allowance for the journey from the last station of duty to his home town as per provisions of the Telangana State Travelling Allowance Rules as would be admissible to Judges of the High Court.

8. Leave Travel Concession:

The Chairman and the Members shall be entitled to the benefit of leave travel concession as admissible to the Judges of the High Court.

9. Medical Treatment:

The medical and surgical treatment of Chairman or a Member and his family shall be provided for, in accordance with the rules which for the time being apply to the Judges of the High Court.

10. Application of Rules of High Court Judge:

In respect of any matter for which special provision is not made by these rules the conditions of service of a person serving as the Chairman or a Member of the Commission shall be governed by the rules and orders for the time being applicable to Judges of the High Court.

11. Residential Accommodation

If a residence leased by the Government is allotted to the Chairman or a Member, his occupation of the residence shall be subject to the rules, which apply to Judges of the High Court.

12. Sumptuary Allowance:

The Chairman and Members of the Commission shall only be entitled to a sumptuary allowance at the rate of Rs.15,000/- (Rupees fifteen thousand only) per month and Rs.12,000/- (Rupees twelve thousand only) per month respectively.

13. Vehicles:

- (a) The Chairman and Members shall be entitled to use Government vehicle for private purpose as applicable to Judges of the High Court.
- (b) Every Member of the Commission shall be entitled to a staff car and 250 liters of fuel per month or actual consumption of fuel whichever is less.

14. Subscription to General Provident Fund

Notwithstanding any provision to the contrary in the General Provident fund (A.P) Rules, the Chairman and Member shall be entitled to subscribe to the General Provident Fund (A.P.) in accordance with the provisions of these rules with effect from the date of the appointment.

15. Saving:

The pay and allowances, leave, pension and other service benefits admissible to Chairman and Members of the Commission under these rules shall not be varied to their disadvantage during their tenure.

(BY ORDER AND IN THE NAME OF THE GOVERNOROF TELANGANA)

**ARVIND KUMAR
SECRETARY TO GOVERNMENT**

To

The Commissioner, Printing and Stationery, Hyderabad
(for publication of notification and supply 100 copies)
The Chairman, Telangana State Electricity Regulatory Commission, Hyderabad.
The Chairman & Managing Director, TSTRANSCO, Hyderabad.
The Chairman & Managing Director, TSGENCO, Hyderabad.
The Chairman & Managing Director, TSSPDCL, Hyderabad.
The Chairman & Managing Director, TSNDCL, Hyderabad.

Copy to:

The Secretary, TSERC, Hyderabad.
The Secretary, Minister of Power, GOI, New Delhi.
The Chairperson, Central Electricity Authority, New Delhi.
The Chairperson, Central Electricity Authority, New Delhi.
The P.S. to Hon'ble Chief Minister.
The P.S. to Hon'ble Minister for Energy.
The P.S. to Chief Secretary to Government
The P.S. to Secretary to Government, Energy Department
The Law (D) Department.
The Finance (HRM.III) Department
The File C.No.605/HR.A1/2014
SC/SF.

//FORWARDED:::BY ORDER//

SECTION OFFICER